

**OFFICE OF THE CHIEF OF POLICE**

**SPECIAL ORDER NO. 6**

**April 14, 2005**

**APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON APRIL 12, 2005**

**SUBJECT: VEHICLE PURSUIT POLICY - REVISED**

**PURPOSE:** Operations Order No. 2, 2003, established a vehicle pursuit pilot program, which introduced new standards for initiating, tracking and supervising vehicle pursuits. During the past year, the Pursuit Pilot Program proved to be successful. This Order establishes the Department's new pursuit policy by incorporating the procedures introduced in the pilot program, and establishing Vehicle Intervention Techniques (VIT) such as the Tire Deflation Device (commonly known as a "spike strip") and the Pursuit Intervention Technique (PIT), as means of terminating pursuits, when appropriate. It should be noted that all other existing provisions found in Manual Section 4/205 of the 2005 Department Manual that are not affected by this Order, shall still apply. The Vehicle Pursuit Report, Form 1.14.0, has been revised to reflect the establishment of pursuit termination methods.

**PROCEDURE:**

- I. VEHICLE PURSUIT REPORT, FORM 1.14.0 - REVISED.** If a Tire Deflation Device or a PIT maneuver is used as a means of terminating a pursuit, the method chosen shall be checked in the "PURSUIT DISPOSITION" box.
- II. INITIATION OF A VEHICLE PURSUIT.** Officers shall not initiate a pursuit based only on an infraction, misdemeanor evading (including failure to yield), or reckless driving in response to enforcement action taken by Department personnel. Whenever possible, air units shall assume responsibility for tracking a suspect's vehicle.

Officers may pursue felons and misdemeanants, including law violators who exhibit behaviors of driving under the influence of drugs or alcohol. If reasonable suspicion or probable cause exists that a misdemeanor (with the exception of misdemeanor evading or reckless driving in response to enforcement action by Department personnel) or felony has occurred, is occurring or is about to occur, officers may pursue a suspect vehicle.

**Note:** Unmarked units shall not engage in a pursuit. Dual-purpose, hybrid vehicles, and motorcycles may engage in a vehicle pursuit, however, the unit shall relinquish the role of primary unit when a marked black and white vehicle arrives on scene.

### III. CONTROL OF A VEHICLE PURSUIT.

- A. Primary Unit's Responsibility.** In addition to adhering to guidelines set forth in 2005 Manual Section 4/205.10, the senior officer of the primary unit shall be the Incident Commander and will be responsible for maintaining management and control of the pursuit until a supervisor arrives.
- B. Assigned Supervisor's Responsibility.** Once a supervisor is assigned to a pursuit, he/she shall respond immediately and upon arrival, declare themselves as Incident Commander via broadcast to Communications Division. As Incident Commander, he/she shall be responsible for the management and control of the pursuit and post incident management.

In addition to the guidelines set forth in 2005 Manual Section 4/205.10, the Incident Commander managing the pursuit shall determine the necessity of employing a VIT.

- C. Watch Commander's Responsibility.** Supervisors who are on-scene best manage dynamic incidents such as pursuits. However, circumstances may exist where in the best interest of public safety or the Department, the Watch Commander of the primary unit may assume incident command. The Watch Commander of the primary unit has the authority to assume incident command at any time. If he/she assumes incident command, the Watch Commander shall immediately notify Communications Division and the involved field supervisor of his/her assumption of command. The involved supervisor and all concerned units shall be guided by the Incident Commander's direction.
- D. Communications Division's Responsibility.** Communications Division shall ensure that an air unit, back-up (secondary) unit, and **any** available uniformed supervisor in close proximity are assigned to the pursuit as soon as practical. When an outside

pursuing agency requests assistance, Communications Division **shall** contact the requesting agency to determine the nature of the pursuit (i.e., traffic infraction, felony evading, wanted for robbery, driving under the influence, etc.).

- IV. TRACKING A PURSUIT.** The use of an air unit to track a suspect vehicle is a valuable law enforcement tool intended to enhance public and officer safety by encouraging a fleeing suspect(s) to operate his/her vehicle responsibly and/or terminate the pursuit.

**Note:** Upon the air unit's arrival at the scene of a pursuit, the air unit will assess the situation, advise the Incident Commander of the number of police units in the pursuit and request if tracking should be initiated. Exigent circumstances may preclude tracking.

Whenever possible, air units shall assume responsibility for tracking a suspect vehicle. In the absence of exigent circumstances, (e.g., armed suspect, murder suspect, hostage situation, etc.), which may require pursuing units to remain in pursuit of the suspect's vehicle, authorized ground units shall continue Code Three, and attempt to remain out of the suspect's line of sight, but remain in close proximity to the suspect's vehicle. Authorized ground units shall broadcast whatever information is necessary to assist the air unit.

**Re-engaging a Pursued Vehicle.** When tracking does not produce the desired result of slowing the suspect's driving or the suspect's driving actions are contributing to an increasingly hazardous situation, the Incident Commander, at his/her discretion may direct units to re-engage the suspect vehicle. Absent exigent circumstances, Incident Commander approval during the tracking mode is required by the primary and/or secondary unit to re-engage the pursuit of the vehicle.

- V. VEHICLE INTERVENTION TECHNIQUES.** Officers should obtain Incident Commander approval prior to employing a Vehicle Intervention Technique (VIT). In rare instances where exigent circumstances exist that require immediate action and preclude officers from seeking prior supervisor approval, a VIT may be employed. The Incident Commander or the Watch Commander of the primary unit may authorize a pursuit's termination by employing a VIT.

The decision to employ a VIT shall be based on careful consideration of the situation, while maintaining a significant regard for public and officer safety.

A VIT may be employed when the officer believes that the continued movement of the vehicle would place persons in imminent danger of great bodily harm or death and/or the risk of harm to persons outweighs any risks created by the application of a VIT.

Only officers who have successfully completed Department approved training are authorized to employ these methods.

Currently, the Department has authorized the following Vehicle Intervention Techniques:

- A. Tire Deflation Devices.** A Tire Deflation Device (commonly referred to as a "Spike Strip") is used to impede or stop movement of vehicles by deflating the tires.

**Note:** This Order does not apply to tactical, non-pursuit fixed post sites (e.g., LAX or the Academy Awards).

The tire deflation device normally should not be deployed for a pursued vehicle traveling at speeds in excess of 65 mph.

Absent exigent circumstances, the tire deflation device should generally not be used in adverse terrain or where geographic configurations increase the risk of injury to the suspect (e.g., on roadways bounded by steep descending embankments, curves, etc.), or at any location where safety of proceeding or opposing traffic cannot be assured.

- B. Pursuit Intervention Technique (PIT).** The PIT is designed to be executed by a pursuing police vehicle. The PIT is a technique in which the officer's vehicle makes contact with the rear quarter panel of the suspect's vehicle, causing it to rotate and come to a stop. If the technique is properly executed, damage to the officer's vehicle should be minor or negligible.

The location chosen to implement a PIT is of paramount importance. The area should be clear of pedestrians and other occupied vehicles, and road conditions should be in good condition (e.g., free from loose gravel, significant road repair, etc.). Unless exigent circumstances exist, the PIT **should not** be attempted when the following exists:

- \* The pursued vehicle is traveling in excess of 35 mph;
- \* The size of the pursued vehicle is significantly heavier than the primary unit's police car (e.g., buses, motor homes, semi-trucks, dual-rear-wheel pickup trucks, etc.);
- \* The pursued vehicle is transporting hazardous material;
- \* Since employing the PIT will cause officers to be in close proximity to the suspect, a PIT should not be used on a suspect who is known to be armed; and,
- \* Any motorcycles, motor scooters or three-wheeled cycles.

**C. Considerations at the Termination of a Pursuit.** At the end of a pursuit, officers shall rely on Department approved tactics and training in taking the suspect(s) into custody, and shall abide by the Department's Use of Force Policy if force is necessary to effect the arrest.

**Note:** Officers shall take special note and be familiar with Special Order No. 1, 2005, *Shooting At Or From A Moving Vehicle*.

**D. Supervisor's Responsibility.** The Incident Commander controlling the pursuit is responsible for managing, and when possible, approving a PIT or the deployment of a tire deflation device. In the event a VIT is employed, the controlling supervisor shall ensure that a detailed description of the method used is contained in the Vehicle Pursuit Report, Form 1.14.0.

- \* Photographs shall be taken of all vehicles affected by any intervention attempt;
- \* Photographs and/or the original floppy diskette containing digital images shall be attached to the Vehicle Pursuit Report. Photographs are intended to show any damage resulting from the intervention or the lack thereof; and,

- \* In the event damage occurs to Department vehicles, it shall be recorded in accordance with established guidelines.

**Note:** Since the PIT maneuver is an intentional act, it is not considered a traffic collision unless a third party is struck in the process.

**E. Vehicle Pursuit Report Guidelines.** In the event that a PIT or deployment of a tire deflation device is **attempted**, the Vehicle Pursuit Report shall include the heading, "**Pursuit Intervention.**" It shall be included in the report immediately following the, "Circumstances of Pursuit Termination" section. Additionally, the following information shall be provided:

- \* Who authorized the deployment;
- \* The date and time of the deployment;
- \* The specific location of the deployment;
- \* The direction of the suspect's travel;
- \* The estimated speed of the suspect's vehicle at the time of deployment;
- \* The results of the deployment;
- \* Any damage to any vehicle resulting from an intervention;
- \* A description of where in the roadway the deflation device was placed;
- \* Any unintended traffic collisions that occurred; and,
- \* Any injuries observed or complained of that are or could be related to the intervention.

**Note:** Photographs of the injuries shall be obtained and medical treatment shall be provided to the injured parties.

**F. Traffic Collision Reporting Guidelines.** The application of a PIT or tire deflation device is not a traffic collision. However, in the event that either of these causes an **unintended** collision between any vehicle and any other object or person, it is reportable as a traffic collision.

- \* The geographic bureau in which the pursuit was initiated shall be contacted to conduct the investigation and prepare the appropriate reports; and,

- \* The Department's Special Collision Investigation Detail (SCID) shall be contacted in the event of any fatal or serious injury related to the deployment of a tire deflation device or PIT.

**VI. POST PURSUIT CONSIDERATIONS.** In an effort to assess the impact of changes to the pursuit policy, Department personnel shall document their findings in the following manner:

- A. Failures to Yield.** If a unit attempts to stop a vehicle for an infraction, misdemeanor evading, or reckless driving in response to enforcement action taken by Department personnel, and the driver fails to yield, a pursuit **shall not** be initiated. Instead, officers shall generate an incident number and complete a Preliminary Investigation Report (PIR), Form 3.1, titled, *Failure to Yield*, listing the City of Los Angeles as the victim and the involved officer(s) as witness. Additionally, officers shall indicate under the "MO" section of the PIR what served as the basis of their decision not to pursue (i.e., infraction, misdemeanor evading, or reckless driving in response to enforcement action taken by Department personnel, etc.).
- B. Loss of a Pursued Vehicle.** An assigned supervisor handling a lost pursued vehicle shall, when completing a Vehicle Pursuit Report, Form 1.14.0, include any insight into what caused the Department to lose the suspect (e.g., distance too great between patrol and suspect vehicle, etc.) under the Incident/Overview heading.

**Note:** Officers may, with supervisory approval, conduct a limited follow-up investigation (e.g., to the registered owner's residence).

**VII. COMMANDING OFFICER'S/BUREAU COMMANDING OFFICER'S RESPONSIBILITY.** Area/division and geographic bureau commanding officers shall consider the details surrounding a vehicle intervention in classifying the pursuit.

**VIII. COMMANDING OFFICER, RISK MANAGEMENT GROUP RESPONSIBILITY.** The Commanding Officer, Risk Management Group (RMG), shall review each application of a pursuit intervention for appropriateness. Furthermore, RMG shall review

vehicle interventions with representatives from the Office of the City Attorney, to assess potential civil liability that the Department may incur.

Risk Management Group shall compile the following data to address future civil liability issues including, but not limited to, the following topics:

- \* The number of pursuit interventions attempted;
- \* The number of suspects, officers and third parties injured or killed;
- \* The number of unintentional traffic collisions that resulted;
- \* A synopsis of property damage as a result of pursuit interventions;
- \* The number of pursuits in which training was recommended as the result of a pursuit intervention; and,
- \* The number of pursuits classified as "out of policy" due to a pursuit intervention.

**IX. COMMANDING OFFICER, INVOLVED BUREAU TRAFFIC DIVISION.**

All *Failure to Yield* reports shall be forwarded to and investigated by the involved bureau Traffic Division, Area of occurrence. Commanding officers shall ensure that each *Failure to Yield* case is investigated with due diligence.

- X. AREA RECORDS PERSONNEL RESPONSIBILITY.** *Failure to Yield* reports shall be processed and investigated similar to *Misdemeanor Hit and Run* reports, but with an assigned class code of 890. Additionally, Area records personnel shall review the Modus Operandi section of the report and assign the appropriate code to each report, as follows:

	<u>MO Code</u>
* Infraction	1315
* Misdemeanor Evading	1316
* Reckless Driving	1317

All *Failure to Yield* reports shall be distributed as follows:

- 1 - Original, investigating Traffic Division
- 2 - Copy Risk Management Group

**3 - TOTAL**



**FORM AVAILABILITY:** The Vehicle Pursuit Report, Form 1.14.0, will be available for ordering from the Department of General Services, Distribution Center, in about 90 Days, and will be placed on the Local Area Network. A copy of the form is attached for duplication and immediate use. The previous version shall be marked "obsolete" and placed in the divisional recycling bin.

**AMENDMENTS:** This Order amends Sections 4/205.01, 4/205.10 and 4/205.65, and adds Sections 4/205.17, 4/205.52, 4/205.70, 4/205.75, 4/205.80 and 4/205.85, to the 2005 Department Manual.

**AUDIT RESPONSIBILITY:** The Commanding Officer, Risk Management Group, shall monitor compliance with this Order in accordance with Department Manual Section 0/080.30.

**WILLIAM J. BRATTON**  
**Chief of Police**

Attachments

**DISTRIBUTION "A"**